

Dear Sir/ Madam

**Re: Nillumbik Shire Council's submission regarding the Yan Yean Road Upgrade Stage 2 Environmental Effects Statement**

Nillumbik Shire Council would like to thank Major Road Projects Victoria (MRPV) for the opportunity to make a submission to this vital infrastructure project.

Please find Nillumbik Shire Council's submission regarding the Environmental Effects Statement (EES) for the proposed Yan Yean Road Upgrade Stage 2.

Nillumbik Shire Council supports the Yan Yean Road Upgrade Stage 2, but takes this opportunity to raise a number of concerns that need to be addressed through the EES process.

On 26 May 2020, in anticipation of the expected public exhibition of the EES in the period approaching Council caretaker period, Council authorised the Chief Executive Officer to prepare and lodge a submission to the EES on behalf of Council.

On 18 August 2020 and 15 September 2020, Council considered a draft EES submission, which has identified a number of concerns, and we trust the Planning Panel will take the views and suggestions of the Council on board when assessing the impacts of this significant project to the Nillumbik community.

We look forward to presenting our submission to the Panel for their consideration.

Kind regards,

Mr Carl Cowie

CEO

## YAN YEAN ROAD UPGRADE STAGE 2 ENVIRONMENTAL EFFECTS STATEMENT SUBMISSION

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## Introduction

1. This submission is made on behalf of Nillumbik Shire Council (Council) to the Planning Panel established under the *Environmental Effects Act 1978* to assist the Minister for Planning to determine an approval decision for the Yan Yean Road Upgrade Stage 2.
2. On 24 October 2018, the Minister for Planning requested an Environmental Effects Statement (EES) as the project has the potential for significant effects on biodiversity values, particularly because of the proposed clearance of a very large number of trees and habitat, including cumulative effects on the critically endangered *Lathamus discolor* (Swift Parrot).
3. An EES process allows the assessment of aspects of the design and potential refinements to minimise the associated impacts.
4. Council sees itself as a key stakeholder in the Yan Yean Road Upgrade Stage 2 process and as such, seeks to comment, recommend or advise the Panel, given Council's expertise and previous work.
5. Council supports the Yan Yean Road Upgrade Stage 2, but takes this opportunity to raise a number of concerns that need to be addressed through the EES process. Council is keen to continue to work with MRPV and the Victorian Government to ensure that those concerns are recognised and mitigated in the planning approvals and throughout the construction and operation phases of the project.

## Council's approach to the EES

6. Nillumbik Shire Council is interested to understand the impacts the Yan Yean Road Upgrade Stage 2 will have on the Shire and therefore has considered the EES, in particular the following chapters:
  - **Environmental impacts**
    - Arboriculture
    - Biodiversity, Swift Parrot and Matted Flax Lilly
  - **Land acquisition impacts**
    - Yarrambat Park, particularly the safe operation of the Diamond Valley Archery Club
    - Yarrambat Golf Club (treatment options)
  - **Social impacts**
    - Provision of sewer to properties
    - Resident and business impacts
  - **Planning Scheme impacts**
    - Zoning and Overlay impacts
    - Incorporated Document
  - **Traffic and transport impacts**
    - Bridge Inn Rd intersection
    - Traffic impacts
    - Road safety
    - Pony Club access
  - **Landscape and Visual**
  - **Environmental Framework Management**

## Overview

### Environmental impacts

#### Arboriculture

- With 4777 trees and shrubs expected to be impacted by Yan Yean Road Stage 2, Council wants to ensure the project prioritises tree retention, including significant trees, and requests a Tree Management Plan is prepared.

#### The Swift Parrot

- The Yan Yean Rd Stage 2 project corridor provides habitat for many bird species, including the critically endangered Swift Parrot, listed under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Council is concerned that the removal of vegetation, which is compounded by the removal of vegetation as part of the North East Link Project, Yan Yean Road upgrade Stage 1, Bridge Inn Road upgrade and the Plenty Road upgrade would be a risk to the Swift Parrot.
- Council is very concerned about the secondary effect of this vegetation removal displacing other bird species into remaining Swift Parrot habitat in nearby areas, and the subsequent competition for resources.
- To mitigate these issues, Council requests MRPV prepare and resource a Swift Parrot Habitat Rehabilitation Plan to maintain and enhance nearby pockets of Swift Parrot habitat.

#### Matted Flax Lily

- Council strongly supports retaining the Matted Flax-lily on site. Where this is not possible, Council requests MRPV salvage and translocate the species to an area within the same bioregion, in consultation with Council.

### Land acquisition impacts

#### Yarrambat Park Golf Course

- Council is concerned that the widening of Yan Yean Rd will encroach on to the Yarrambat Park Golf Course. As the owner of the golf course, Council needs to be satisfied that the risk of golf balls hitting cars or pedestrians on Yan Yean Rd is understood and mitigated.
- MRPV have considered options such as the realignment of the golf course or the installation of a 360 metre-long, 30-36 metre-high fence to prevent golf balls hitting cars on the road. Council's preference is for neither of these options and this aspect not yet been resolved and may be resolved through a golf ball trajectory study currently underway.
- A high fence could pose a significant risk to the Swift Parrot as it flies through the area as well as to the Grey-headed Flying Fox and the many other bird species that are prevalent in the area. The high fence would become a prominent feature inconsistent with the rural landscape, and have ongoing maintenance obligations for Council.

## Nillumbik Shire Council's submission on the Yan Yean Road Upgrade Stage 2 Environmental Effects Statement (under the *Environmental Effects Act 1978*)

- A realignment of the championship golf course would be a major long-term and costly project requiring the redesign of the masterplan and could have significant impacts on business viability for the operator and Council.

### **Social and Economic impacts**

#### **Sewerage connection**

- Properties at 722-758 Yan Yean Road are not connected to sewerage and Council requests MRPV facilitates the early construction of a sewer network to these properties as part of the road upgrade process.

#### **Businesses**

- Council is concerned about the impact of construction on businesses along the corridor including those in private ownership, and those located on Council land such as the Yarrambat Park Golf Course, Diamond Valley Archery Club and Yarrambat Horse and Pony Club, and want MRPV to ensure every effort is taken to protect the ongoing viability of these businesses including monitoring, signage and communications.

### **Traffic and Transport impacts**

#### **Bridge Inn Rd intersection**

- Council does not support Option A, which would require the removal of the river red gums and the old Doreen store.
- Council has concerns regarding Option B, the preferred option of MRPV, which would create a large “urban” intersection in the rural green wedge, urbanise the rural Doctors Gully Road, turn its back on the façade of the historic old Doreen store, adversely affect a larger amount of green wedge land and compromise the Doreen Recreation Reserve Masterplan in the City of Whittlesea.
- Council strongly supports Option C because it provides an intersection which satisfies the following Council priorities:
  - ✓ Protects the two significant river red gums
  - ✓ Smaller intersection footprint
  - ✓ Achieves heritage protection of the Old Doreen Store
  - ✓ Retains a rural feel to the Nillumbik Shire Council green wedge area
  - ✓ Minimal land acquisition severance
  - ✓ Retains a rural feel to Doctors Gully Road
  - ✓ Minimal impacts on the Doreen Recreation Reserve Masterplan.
- Whichever option is chosen, MRPV must prepare a Historical and Social Master Plan for the intersection, surrounding surplus properties and the Doreen Recreation Reserve that address the matters raised by Council in this submission.

#### **Diamond Creek Road**

- The Diamond Creek corridor between Yan Yean Road and Greensborough Bypass has exceeded traffic capacity, demonstrated through modelled and observed queue lengths

(particularly in the AM peak for the southbound movement). Council is concerned traffic modelling suggests that the Yan Yean Road upgrade, together with North East Link, will further increase traffic volumes on Diamond Creek Road and the Civic Drive/Greensborough Bypass/Diamond Creek Road roundabout.

- Council requests an urgent investigation of the complementary project, identified by the North East Link Planning Panel, to widen Diamond Creek Road and upgrade the Civic Drive/Greensborough Bypass/Diamond Creek Road roundabout, to mitigate these concerns.

### **Pony Club access**

- Council requests the entrance to the Yarrambat Horse & Pony Club be upgraded as part of the project.
- Council is concerned the project does not provide for safe convenient horse riding movement to and from the Yarrambat Horse & Pony Club and requests this provision is made.

### **Road Safety**

- Council is concerned that property accessibility on Yan Yean Road between Laurie Street and Bannons Lane is unsafe.
- The proposal requires access and egress direct onto Yan Yean Road for properties between Laurie Street and Bannons Lane via a wide 3 metre shoulder. This will require reversing movements on to Yan Yean Road, which is contrary to the Safe System principles.
- This is a unique “urban” style pocket along the road length calling for a context-specific solution to mitigate road safety concerns.
- Council also requests additional lighting at all intersections to maximise road safety.

### **Local Road Network**

- During construction of Yan Yean Road Stage 1, the local road network experienced an increase in daily traffic, one road experienced an increase in daily traffic volumes of 110 per cent in the PM peak and a 160 per cent increase in daily traffic volume.
- The impacts are expected to be amplified because many of the local roads surrounding Yan Yean Road Stage 2 are of an unsealed nature.
- The anticipated amenity impacts on abutting local residences is of significant concern to Council. Furthermore, the compounding road safety risks created by increased traffic volumes.
- Council requests the introduction of a new EPR to require MRPV to expedite a monitoring program of the local municipal road network, allocate an appropriate budget and proactively implement mitigation measures, all in consultation with Nillumbik Shire Council to address the imminent increase in traffic volumes on the local municipal road network.

### **Landscape and visual**

- Council seeks to ensure the project respects the rural character of Yarrambat and requests MRPV to prepare a Yarrambat Township Integration Plan and include a gateway public art feature at the Ironbark Road intersection.
- Council wants to ensure that existing vegetation is protected in all median and verge landscaping treatments, that new trees are planted where safety barriers are provided, and that low plantings and/or grasses are provided along the length of the median.
- Council is concerned about the visual, landscape and fauna impacts of safety barriers and vertical embankments, particularly concrete barriers, and seeks measures to ensure barriers are sympathetic to the landscape and character of the area.
- Council seeks to ensure public artworks align with policy and creative industry best-practice. Artworks should focus on local connections including to Indigenous heritage and the environment.

The following tables represent the findings and **Actions** requested to satisfy Council's concerns for each chapter considered. Note the proposed Environmental Performance Requirements (EPR) define the project-wide environmental outcomes that must be achieved during design, construction and operation of the project (regardless of the design solutions adopted).



## Environmental Impacts

### Arboriculture

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Tree Assessment	Tree Retention	<p>The Arborist Report states there are 6735 trees within the project boundary, of which 4777 will be removed (page 10). There are 12 trees of very high retention value and 148 trees of high-retention value, including high-retention value stands of trees.</p> <p>The project needs to prioritise tree retention.</p> <p>Council officers require a Tree Impact Assessment Report to resolve this concern and seek an approach of "avoid, minimise and as-last-resort offset" tree impacts.</p>	<p><b>Include an EPR:</b> "If trees of Very High and High retention value are proposed to be removed, MRPV must demonstrate to Nillumbik and Whittlesea councils that all efforts have been made to retain the tree."</p>
Tree Assessment	Tree Management Plan	<p>A Tree Management Plan needs to be prepared to Council's satisfaction prior to works commencing.</p>	<p><b>Include an EPR:</b> "Prior to works commencing, MRPV to prepare a Tree Management Plan to be approved by Nillumbik and Whittlesea councils, encompassing pre-construction, during construction and post-construction phases."</p>
Tree Assessment	Tree Protection Zone	<p>Tree Protection Zones must comply with Australian Standards 4970-2009 <i>Protection of trees on development sites</i> that provides for cyclone fencing, concrete feet, environmental signage and guidance to minimise root disturbance works within Tree Protection Zones.</p>	<p><b>Include an EPR:</b> "Tree Protection Zones must comply with Australian Standards 4970-2009 <i>Protection of trees on development sites</i>."</p>
Tree Assessment	Canopy Trees	<p>Proposed replacement canopy trees should include not only indigenous species, but native species, too, as some indigenous tree species do not perform well in an altered landscape (above and below ground) and some species are not suitable to be planted alongside roads.</p>	<p><b>Include an EPR:</b> "Replacement tree planting to include native, not only indigenous tree species, and prior to works commencing, a Landscaping Plan to be approved by Nillumbik and Whittlesea councils, encompassing pre-construction, during construction and post-construction phases."</p>



Nillumbik Shire Council's submission on the Yan Yean Road Upgrade Stage 2  
Environmental Effects Statement (under the *Environmental Effects Act 1978*)

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Tree Assessment	Significant Tree Retention	The project must retain the following trees and provide understorey revegetation around each of these significant trees: <ul style="list-style-type: none"> <li>• 1265 and 1264 <i>Eucalyptus camaldulensis</i> (Bridge Inn Road intersection)</li> <li>• 230 <i>Eucalyptus studlyensis</i>.</li> </ul>	<b>Include an EPR:</b> "MRPV must retain the following significant trees and provide understorey revegetation works: <ul style="list-style-type: none"> <li>• 1265 and 1264 <i>Eucalyptus camaldulensis</i> (Bridge Inn Road intersection)</li> <li>• 230 <i>Eucalyptus studlyensis</i>."</li> </ul>
Tree Assessment	Tree Removal	During Yan Yean Road Stage 1, MRPV repurposed timber from trees removed into public art, street furniture, used mulch locally and gifted timber to local community and aboriginal groups.	<b>Include an EPR:</b> "Prior to works commencing, MRPV to prepare a Repurposed Timber Plan to be approved by Nillumbik and Whittlesea councils to encourage timber from trees removed for public art, street furniture, local mulch or gifted to local community and aboriginal groups."
Tree Assessment	Hollow Trees	There are 102 trees containing hollows identified along Yan Yean Road. If any of these are to be removed, the hollow sections need to be lowered to the ground intact for reuse in the proximate area.	<b>Include an EPR:</b> "Prior to works commencing, MRPV to prepare a Hollow Tree Translocation Plan to be approved by Nillumbik and Whittlesea councils."

## Biodiversity / Swift Parrot / Matted Flax Lily

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Swift Parrot	Swift Parrot Management Plan	<p>Council is concerned with:</p> <ul style="list-style-type: none"> <li>The 30-36 metre height and 360 metre length of the proposed golf course fence and the potential impact on Swift Parrot and other bird species</li> <li>The extent of proposed Swift Parrot foraging vegetation removal arising from this project and from nearby transport infrastructure upgrades occurring recently and simultaneously</li> <li>The secondary significant threat to the Swift Parrot of increased competition from other displaced bird species moving into prime Swift Parrot habitat in the known nearby Plenty Gorge parklands and Plenty River movement corridor, which act as a key stepping stone habitat for the Swift Parrot as it migrates north; and is concerned that the EES does not adequately consider this as part of its assessment of the likelihood of the Project to exacerbate key threatening processes listed under the EPBC Act or as part of its assessment of potential impacts of the Project on Matters of National Environmental Significance.</li> </ul>	<p>Include an EPR: "Prior to works commencing, MRPV to review the Swift Parrot Management Plan to be approved by Nillumbik and Whittlesea councils that includes:</p> <ul style="list-style-type: none"> <li>Mitigation of potential bird impacts of the 30-36 metre-high golf fence.</li> <li>If mitigation is not possible, an alternative to the 30-36 metre-high fence will need to be sought</li> <li>Plant species recommendations for Swift Parrot be incorporated into the Landscape Plan/Strategy</li> <li>Consideration of the secondary impact potential for displaced bird species, including aggressive bird species such as Noisy Minors, to move into the nearby prime Swift Parrot habitat and movement corridor, and out compete them; and development of associated mitigation strategies".</li> </ul>
Swift Parrot	Swift Parrot habitat rehabilitation of non-affected areas	<p>As a project mitigation measure, the project should undertake maintenance and enhancement works of existing nearby pockets of Swift Parrot habitat such as via localised fencing, invasive species control, supplementary planting etc, in addition to satisfying formal vegetation offset requirements.</p>	<p><b>Include an EPR:</b> "Prior to works commencing, MRPV to prepare and resource a Swift Parrot Habitat Rehabilitation Plan to be approved by Nillumbik and Whittlesea councils to maintain and enhance existing nearby pockets of Swift Parrot habitat."</p>

Nillumbik Shire Council's submission on the Yan Yean Road Upgrade Stage 2  
Environmental Effects Statement (under the *Environmental Effects Act 1978*)

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Matted Flax Lily	Matted Flax-lily	Council supports the project proposal to retain the Matted Flax-lily on site. However, if this cannot be achieved, Council will support the salvage and translocation of Matted Flax-lily within the same bioregion. Locations within Nillumbik have been provided to MRPV and their consultants in August 2019 and in July 2020.	<b>Include an EPR:</b> "MRPV to undertake the salvage and translocation of the Matted Flax-lily within the same bioregion (with a preference to retain plants on site rather than translocation)."
Landscaping Strategy	Maintenance of plantings and landscaped areas	The project must provide a three-year maintenance program for new plantings and landscaped areas that includes post planting watering, regular weed monitoring and management.	<b>Include an EPR:</b> "MRPV to provide a three-year maintenance program for new plantings and landscaped areas that includes post planting watering, quarterly weed monitoring and management."
Landscaping Strategy	Seed Collection	Seed collection of advisory listed flora species (Studley Park Gum and Pale-flowered Crane's Bill) - in addition to seed collection from eucalypt species that are known forage species for Swift Parrot - should be conducted prior to clearing to ensure that local provenance plants of various strata can be re-established within the project area and at nearby habitat rehabilitation areas.	<b>Include an EPR:</b> "Prior to works commencing, MRPV to undertake seed collection of advisory listed flora species and eucalypt species that are known forage species for Swift Parrot."
Fauna	Fauna crossings	The EES states that "the section of Yan Yean Road proposed to be upgraded is a roadkill hotspot" but Council believes that the EES does not sufficiently consider the impact on species such as kangaroos or associated potential mitigation strategies.  "EPR E2 specifies a requirement for "targeted signage to minimise roadkill and investigation of other measures during detailed design which may be trialled to minimise collision risk, particularly for Eastern Grey Kangaroos" but does not provide clarity around strength of commitment to proactively resource such mitigation investigations or trials.	<b>Strengthen EPR E2:</b> "Targeted signage to minimise roadkill and investigation and resourcing of other measures during detailed design which may be trialled to minimise collision risk, particularly for Eastern Grey Kangaroos".  <b>Include an EPR:</b> "Prior to works commencing, MRPV to prepare a Fauna Bridge and Crossings Plan and standard fencing requirements to be approved by Nillumbik and Whittlesea councils."

Nillumbik Shire Council's submission on the Yan Yean Road Upgrade Stage 2  
Environmental Effects Statement (under the *Environmental Effects Act 1978*)

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Fauna	Fauna bridges	No research has been seen by Council to support locations or designs of the two proposed fauna bridges.	<b>Include an EPR:</b> "Prior to works commencing, MRPV to prepare a Fauna Bridge and Crossings Plan to be approved by Nillumbik and Whittlesea councils."
Biodiversity Strategy	Purchased offsets	The required vegetation offsets locations should be as close to the works as possible.	<b>Include an EPR:</b> "Purchased vegetation offsets to be provided at locations as close to the works as possible."

## Land acquisition impacts

### Yarrambat Park, Diamond Valley Archery Club

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Public Acquisition Overlay	Public Acquisition Overlay impacts: Yarrambat Park Archery Club	Widening Yan Yean Road will result in the loss of two/three lanes from the Yarrambat Park Archery Club and may compromise the club's national accreditation.	Yarrambat Park Archery Club has reviewed the MRPV Archery Club impact report and is satisfied by the works as proposed.
Landscaping Strategy	Yarrambat Park Archery Club safety fence	The proposed 1.8 metre (safety) timber paling fence at the Yarrambat Park Archery Club will be visually prominent from Bannons Lane and adjacent to the entrance to Yarrambat Park, and will require regular maintenance. A timber paling fence is not consistent with a rural environment and alternative fencing should be considered.	<b>Include an EPR:</b> "MRPV to design and build a Yarrambat Park Archery Club permanent safety fence which provides a deliberate aesthetic design outcome. The fence is to be designed in consultation with the Yarrambat Park Archery Club and to be approved by Nillumbik Shire Council."



### Yarrambat Park, Yarrambat Golf Club

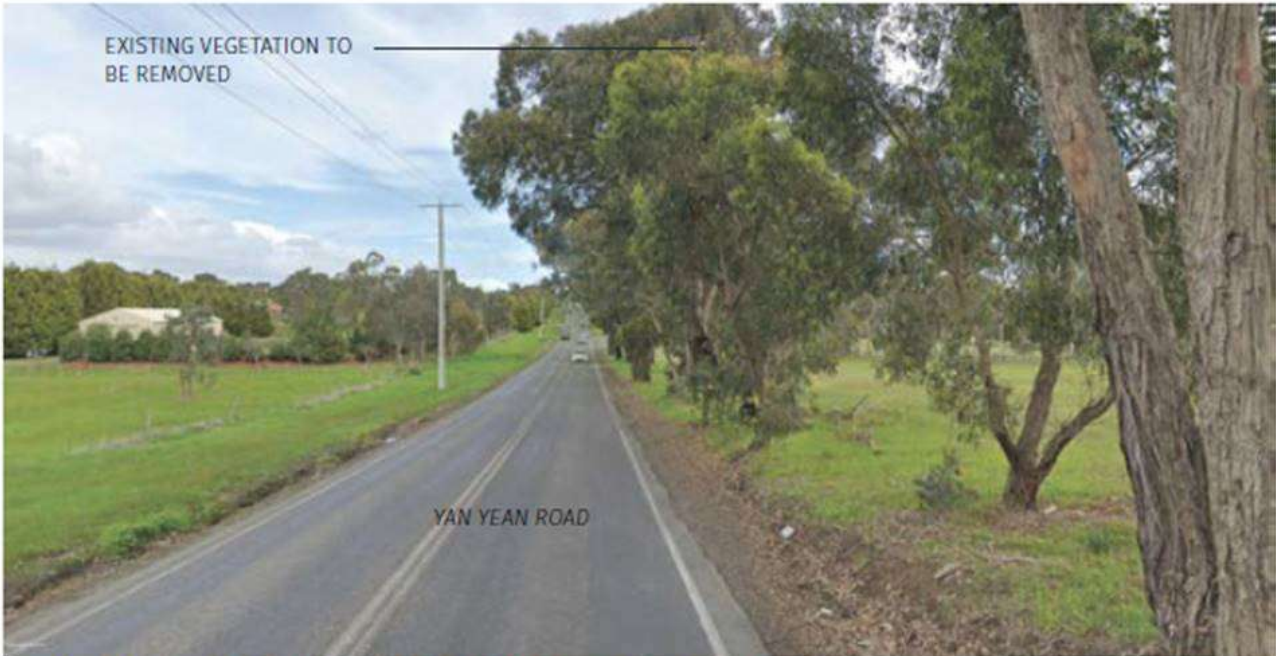


FIGURE 5.45: VIEWPOINT C - YAN YEAN ROAD ALONGSIDE YARRAMBAT GOLF COURSE, LOOKING SOUTH - EXISTING



FIGURE 5.46: VIEWPOINT C - YAN YEAN ROAD ALONGSIDE YARRAMBAT GOLF COURSE, LOOKING SOUTH - PROPOSED - YEAR 1  
NOTE: DESIGN IS FOR ILLUSTRATIVE PURPOSES ONLY AND SUBJECT TO CHANGE

Source: Landscape Strategy

Nilumbik Shire Council's submission on the Yan Yean Road Upgrade Stage 2  
Environmental Effects Statement (under the *Environmental Effects Act 1978*)

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Public Acquisition Overlay	Public Acquisition Overlay impacts: Yarrambat Park Golf Course	<p>Widening Yan Yean Road will result in a 25-metre encroachment into the Yarrambat Park Golf Course.</p> <p>As the owner of the golf course, Council needs to be satisfied that the risk of golf balls hitting cars or pedestrians on Yan Yean Rd is understood and mitigated. Options considered by MRPV include the installation of a 30-36 metre-high and 360 metre-long fence or realignment of the golf course. Council's preference is for neither of these options and this has aspect not yet been resolved (a golf ball trajectory study is currently underway).</p> <p>Council's concern includes:</p> <p>Fence</p> <ul style="list-style-type: none"> <li>• High fencing will have impacts on bird movements, including but not limited to Swift Parrot movements (Swift Parrots fly at the height of trees, roughly 10 to 15 metres, and a 30 to 36 metre-high fence will cause a significant risk to the species).</li> <li>• The proposed fencing will alter and restrict the movement of ground species such as kangaroos, which are able to jump over the current fence, and echidnas, for example, which are able to pass under the current fence. Council considers that associated impacts have not been adequately considered within the EES.</li> <li>• The proposed fence will be a prominent feature out of keeping with the rural landscape.</li> <li>• Requires an ongoing maintenance obligation to Council.</li> <li>• Also presents a risk to the Grey-headed Flying Fox, which has been recorded in the area.</li> <li>• Would result in golf being played along a fairway that immediately abuts the proposed fence and the new roadway which would be a very different playing experience to that currently enjoyed.</li> </ul> <p>Golf course realignment</p> <ul style="list-style-type: none"> <li>• Realigning the championship golf course is a major, long-term and costly exercise requiring significant</li> </ul>	<p>If the Planning Panel supports MRPV's proposed fence between the golf course and Yan Yean Rd, <b>include EPRs:</b></p> <p>"MRPV to:</p> <ul style="list-style-type: none"> <li>• Design and install a fence that minimises impacts on fauna, including design consideration of minimum required length and height, whether a 'louvre'-type fence would be suitable, and adopt the measures in the Swift Management Plan (page 33) of a tensioned fence of knotted or woven braided mesh between 15*15mm and 25*25mm that is planted with shrubs and small trees."</li> <li>• Undertake three years of fauna monitoring after the project's completion to determine deaths and injuries to birds, bats and other fauna as a direct result of collision with the golf course fence, to contribute to the body of research on the impacts of the installation of such structures; provide copies to DELWP, Nilumbik and Whittlesea councils, and determine and undertake mitigation works if required."</li> <li>• Incorporate the maximum possible screening planting into the landscape design along the golf course frontage."</li> </ul> <p>If the Planning Panel supports realignment of the golf course, <b>include EPRs:</b></p> <ul style="list-style-type: none"> <li>• "MRPV to undertake revised golf course masterplan utilising a high-quality specialist golf course designer, in close consultation with Nilumbik Shire Council, and undertake mitigation works at MRPV's cost."</li> <li>• "MRPV compensate Council and the golf course operator for all business losses attributed to the gold course redesign,</li> </ul>

Nilumbik Shire Council's submission on the Yan Yean Road Upgrade Stage 2  
Environmental Effects Statement (under the *Environmental Effects Act 1978*)

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
		<p>works and a redesign of the masterplan.</p> <ul style="list-style-type: none"> <li>The championship golf course is popular and renowned for its design and therefore any realignment could compromise the operation of the golf course and have potential business viability impacts for the operators and Council.</li> </ul>	including all costs to reconstruct the golf course."

## Social and Economic Impacts

### Provision of sewer to properties

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Social impacts	722-758 Yan Yean Road are not connected to sewerage	<p>These properties are currently unserviced by sewer (utilising septic systems) with approved off-site discharge draining to Yarrambat Lake creating a less than desirable environmental outcome.</p> <p>722-758 Yan Yean Road are scheduled to be connected by Yarra Valley Water as part of their capital works program in 2030. Installing sewer connection after the construction of Yan Yean Road Stage 2 will create additional costs and be detrimental to these properties and the local environment.</p>	<b>Include an EPR:</b> "MRPV to construct the sewer network to properties at 722-758 Yan Yean Road as part of the scope of Stage 2."

### Resident and business impacts

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Landscape Strategy	Yarrambat Veterinary Hospital, 541 Yan Yean Rd, Yarrambat	This business will suffer the loss of screening trees, which will impact on the business operation. Council requests reinstatement of the screening trees.	<b>Include an EPR:</b> "MRPV to reinstate screening trees to the Yarrambat Veterinary Hospital, 541 Yan Yean Rd, Yarrambat. Plant selection and placement must be undertaken in consultation with the land owner and approved by Council."



Nillumbik Shire Council's submission on the Yan Yean Road Upgrade Stage 2  
Environmental Effects Statement (under the *Environmental Effects Act 1978*)

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Landscape Strategy	J & C Yeoman Slate Wholesalers & Homestead Farm, 25 Doctors Gully Road, Doreen	This business requires large truck vehicular access. Council requests access provision for large vehicles.	<b>Include an EPR:</b> "MRPV to provide for large vehicle access to 25 Doctors Gully Road, Doreen."
Construction disruption	Changes in business access conditions	Signage to notify customers of changes in business access conditions needs to be appropriate for the conditions.  Every effort needs to be taken to protect the ongoing viability of businesses along the corridor, particularly business impacts on Yarrambat Park Golf Course, Diamond Valley Archery Club, and Yarrambat Horse & Pony Club, including regular monitoring of impacts and business mitigation measures, as well as the implementation of a communications campaign.	<b>Include an EPR:</b> "MRPV to provide appropriate directional and business disruption signage during construction."
Construction disruption	Changes in business access conditions	Council is concerned about the economic impact on local business as a result of the works.	<b>Include EPRs:</b> MRPV to : <ul style="list-style-type: none"> <li>• "Appropriately compensate businesses for any economic loss experienced as a result of the works."</li> <li>• "Develop and implement a marketing and communications plan in consultation with impacted businesses to promote and maximise business exposure during construction."</li> </ul>
Construction disruption	Dust Management Plan	It is unclear who will prepare the Dust Management Plan and who will review and approve it.	<b>Include an EPR:</b> "Prior to works commencing, MRPV to prepare a Dust Management Plan to be approved by Nillumbik and Whittlesea councils."
Construction disruption	Construction management plan	It is unclear who will prepare a Construction Management Plan and who will review and approve it.	<b>Include an EPR:</b> "Prior to works commencing, MRPV to prepare a Construction Management Plan to be approved by Nillumbik and Whittlesea councils."
Construction disruption	Noise and Vibrations Communications Plan	Council supports the proposed Noise and Vibrations Communications Plan.	None

## Planning Scheme impacts

### Zoning and Overlay Impacts

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Planning Scheme Amendment	Road Zone 1	Planning Scheme Amendment GC92 retains Yan Yean Road as Road Zone Category 2 (Council arterial). MRPV advises the rezoning to Road Zone Category 1 (State arterial) will happen after the project is completed; this approach is not supported by Council. MRPV needs to make clear the approach to the Road Zone and the transitional arrangements.	MRPV to provide a transitional arrangement for Yan Yean Road Stage 2 from Road Zone Category 2 (Council arterial) to Road Zone Category 1 (State arterial).
Planning Scheme Amendment	Environmental Significance Overlay	In areas to which the ESO is applied, the proposed Incorporated Plan does not sufficiently regulate fencing which is consistent with that supported by the ESO for environmental purposes.	In areas to which the ESO is applied, the Incorporated Plan is to be modified to require environmentally sensitive fencing in accordance with the requirements of the ESO.
Planning Scheme Amendment	Bushfire Management Overlay	Part of the Project is within a bushfire-prone area. There is a need to specify the canopy separation and understorey management for any new planting.	<b>Include an EPR:</b> Canopy separation and understorey management to be included in the Landscaping Strategy, to the satisfaction of the Country Fire Authority/Fire Services Victoria.

## Incorporated Document

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Planning Scheme Amendment	Incorporated Document	The term "environmental management framework" has not been clearly defined in the Incorporated Document.	<p><b>Include the definition of the Environmental Management Framework:</b></p> <p>4.4.1 The Environmental Management Framework (EMF) is a framework to ensure that the project complies with relevant statutory requirements and minimises environmental risks. The EMF contains the Environmental Performance Requirements (EPRs) for the Project. The EPRs comprise a set of Project-specific performance requirements or standards that must be met during design, construction and operation of the Project to ensure that adverse environmental impacts are managed to achieve acceptable outcomes. The EMF sets out accountabilities for managing and monitoring environmental impacts associated with the design and construction of the Project. The EMF and finalised EPRs approved under the Incorporated Document will reflect the outcomes of the EES assessment process for the Project.</p> <p>The EPRs have been informed by detailed technical studies that have considered the following environmental impacts and potential effects:</p> <ul style="list-style-type: none"> <li>• Transport capacity and connectivity</li> <li>• Biodiversity</li> <li>• Social and cultural values</li> <li>• Land use planning</li> <li>• Physical environment.</li> </ul> <p><b>Delete the following words:</b> 4.4.1.g. Environmental Management Framework.</p>

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Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Planning Scheme Amendment	Incorporated Document	The Incorporated Document does not capture the offsetting of all native vegetation deemed lost.	<b>Modify words to:</b> "4.5.1 Prior to removal of native vegetation (excluding native vegetation removed under Clause 4.10), information about that native vegetation and any vegetation deemed lost under 4.5.6 and 4.5.7 in accordance with Application Requirements 1, 5, 9, 10 and 11 of the Guidelines for removal, destruction or lopping of native vegetation (DELWP, December 2017 Guidelines) must be provided to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning (DELWP). For the avoidance of doubt, the information provided to the Secretary to DELWP must include information about any native vegetation that has been, or is to be, removed under Clause 4.5 or is deemed lost under Clause 4.5.4.5.2 prior to removal of native vegetation (excluding native vegetation removed under Clause 4.10), the biodiversity impacts from the removal of that native vegetation and any vegetation deemed lost must be offset in accordance with the Guidelines, and evidence that the required offset(s) has been secured must be provided to the Secretary to DELWP. 4.5.5 For the purposes of this incorporated document, the term 'remove native vegetation' includes to destroy, remove and/or lop native vegetation."
Planning Scheme Amendment	Incorporated Document	The Incorporated Document does not capture the offsetting of native vegetation deemed lost under Clause 52.17 due to lots greater than 0.4ha being reduced to less than 0.4ha (all vegetation on such lots is deemed lost).	<b>Insert new section:</b> "4.5.6 Acquisitions under the PAO may result in lots being less than 0.4ha in size, removing Clause 52.17 requirements and resulting in consequential vegetation loss of the entire lot. If lots less than 0.4ha are to be created, then all vegetation on those lots is to be deemed lost and biodiversity impacts from the removal of native vegetation must be included in the total biodiversity impacts when determining the offset(s) in accordance with Clause 4.5.2."
Planning Scheme Amendment	Incorporated Document	The Incorporated Document does not capture the offsetting of native vegetation deemed lost under Clause 52.17 due to the relocation of boundary fencing (vegetation within four metres of new boundary fencing is deemed lost).	<b>Insert new section:</b> "4.5.7 Boundary realignments and relocation of fencing may remove vegetation permit triggers within four metres of new fences under Clause 52.17 requirements and resulting in consequential vegetation loss. If fencing is to be relocated, then all vegetation within four metres of new fencing is to be deemed lost and biodiversity impacts from the removal of native vegetation must be included in the total biodiversity impacts when determining the offset(s) in accordance with Clause 4.5.2."

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Planning Scheme Amendment	Incorporated Document	In the event that the documents approved under Clause 4 of the Stage 2 Incorporated Document, Council would like the opportunity to make comment.	<b>Modify 4.9.2 to read:</b> "The plans and documents required under Clause 4 may be amended from time to time to the satisfaction of the Minister for Planning or relevant approving authority. In deciding whether a plan or document is satisfactory or whether to consent to an amendment to a plan or document, the Minister for Planning or relevant approving authority, must seek the views of Whittlesea and Nillumbik councils, or any other relevant approving authority."
Planning Scheme Amendment	Incorporated Document	There are a number of S173 agreements on land along the project alignment and the Incorporated Document does not provide a mechanism to exempt the project from the requirements of S173 Agreements. This should be stated clearly in the Incorporated Document.	<b>Insert new section:</b> "6. Note 6.1 There are approximately 37 lots with S173 agreements in the Project area. S173 Agreements may affect fencing, services, access, on site waste water / septic systems (envelopes), building siting (envelopes or building exclusion zones), tree protection and other matters. The Incorporated Document does not exempt parties from obligations under S173 Agreements and miscellaneous consents may be required from Nillumbik Shire Council and/or Whittlesea City Council (the councils) within the project area."
Planning Scheme Amendment	Mapping	There are areas of proposed application of the Specific Control Overlay, which defines land subject, to the Incorporated Document, which seem excessive given the extent of the road project.  Examples of this include: <ul style="list-style-type: none"> <li>• An extensive square-shaped area in Yarrambat Park</li> <li>• A square of land extending between Yan Yean Road and Worns Lane</li> <li>• Other numerous smaller, but still significant, setbacks of the SCO from the Yan Yean Road corridor. For example, (on the Nillumbik side) north of Laurie Street. These areas of SCO are significantly wider than the proposed application of the PAO.</li> </ul>	MRPV to justify its proposed application of the SCO, particularly any notable extensions beyond the proposed road corridor. Where possible, MRPV should minimise its proposed application of the SCO.  The justification should identify any land that is required for a works site, including any land required for the stockpiling of materials, storage of machinery, work sheds and offices etc.

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Planning Scheme Amendment	Incorporated Document	Council's MSS and local planning policy seeks to minimise the impact of buildings and works on the character of rural and low-density areas of the Shire. For example, Clause 22.04 (Siting and Design Policy for Buildings and Works in Non-urban Areas) implements this key objective in the project area. The emphasis of the local section of the Nillumbik scheme to minimise impacts on the character of rural and low-density areas is not properly identified in, nor applied by, the proposed Incorporated Document. This should be rectified.	Modify the Incorporated Document to support and implement the Nillumbik MSS and local planning policy, particularly policy intent to minimise the impact of buildings and works upon the amenity and character of rural and low-density residential areas
Planning Scheme Amendment	Yarrambat township reference	<p>The project should support the outcome of Council's Yarrambat Township Plan Project that comprises the following actions:</p> <ul style="list-style-type: none"> <li>To retain the rural character of Yarrambat</li> <li>To conduct a public realm and beautification plan, through the Yarrambat Township Public Realm Masterplan.</li> </ul> <p>An action within the Public Realm Masterplan is to provide a gateway feature at the north-east corner of the Yan Yean Road/Ironbark Road intersection to mark the Yarrambat town entry that reflects the rural character of the area and highlights the vista towards the southern slopes of the Great Dividing Range.</p> <p>(This is also raised in relation to the landscape strategy, below)</p>	<p>The Incorporated Document, be modified to include:</p> <ul style="list-style-type: none"> <li>References to Council's adopted position on the Yarrambat township, which is to retain its rural character and the Yarrambat Township Public Realm Masterplan</li> <li>A requirement for MRPV to provide a gateway feature at the north-east corner of the Yan Yean Road/Ironbark Road intersection to mark the Yarrambat town entry that reflects the rural character of the area and highlights the vista towards the southern slopes of the Great Dividing Range.</li> <li>A requirement to provide a footpath on the northern side of Ironbark Road</li> </ul>

### Planning and Land Use Impact Assessment

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Technical Report H	Secondary Consents	Consents may be required under S173 Agreements should be identified	At section 4.1.1. of the Technical Report H, include "miscellaneous consent from Council under S173 Agreements".
Technical Report H	Zones and Overlays	Under Clause 43.01 – Heritage Overlay (HO191) 'River Red Gums (2)' and Clause 43.01 – Heritage Overlay (HO219) 'St Michael's Anglican Church' a planning permit is required.	At section 4.3.2 of the Technical Report H specify when a planning permit is required eg: <ul style="list-style-type: none"> <li>• Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.</li> <li>• Removal, destruction or lopping of vegetation in a schedule to the overlay.</li> <li>• Construct a Sign.</li> </ul>
Technical Report H	Particular Provisions	Clause 52.17 – Native Vegetation needs to include reference to native vegetation deemed lost within four meters of any new boundary and where lots are reduced less than 0.4ha	At section 4.3.3 of the Technical Report H, include "a planning permit is required for the removal of native vegetation. Native vegetation deemed lost must be offset."



## Traffic and transport impacts

### Bridge Inn Rd intersection

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Yan Yean Rd/Bridge Inn Rd (Doctors Gully Rd) intersection design options	Option B	<p>Council supports any option other than Option A (business-as-usual intersection), which would require removal of the two significant river red gums and the locally significant Old Doreen Store (see discussion below).</p> <p>Council strongly supports Option C as it provides an intersection which satisfies the following Council priorities:</p> <ul style="list-style-type: none"> <li>• Protects the two significant river red gums</li> <li>• Smaller intersection footprint</li> <li>• Achieves heritage protection of the Old Doreen Store</li> <li>• Retains a rural feel to the Nillumbik Shire Council green wedge area</li> <li>• Minimal land acquisition severance</li> <li>• Retains a rural feel to Doctors Gully Road</li> <li>• Minimal impacts on the Doreen Recreation Reserve Masterplan.</li> </ul> <p>Option B introduces a large 'urban' intersection footprint, which adversely impacts a greater amount of green wedge land, which is an outcome contrary to State and Local Planning Policy. Further, Option B compromises the Doreen Recreation Reserve Masterplan (in the City of Whittlesea).</p> <p>Doctors Gully Road should not be an extension of the urban form of a duplicated Bridge Inn Road.</p>	Panel to recommend the adoption of Option C.

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Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Yan Yean Rd/Bridge Inn Rd (Doctors Gully Rd) intersection design options	Surplus acquired land at Bridge Inn Road intersection	<p>Either Option B or C creates surplus landholdings at Bridge Inn Road/Yan Yean Road.</p> <p>This intersection is at the junction of local government boundaries and the Urban Growth Boundary/Green Wedge Zone land.</p> <p>Surplus acquired land at Bridge Inn Road intersection should be included in the Project to reinstate vegetation lost along the Yan Yean Road Stage 2 Project and provide open space or other alternate community space.</p>	<p><b>Include an EPR:</b> "Prior to works commencing, MRPV to prepare and fund the implementation of a Masterplan for the use of surplus acquired land at the Bridge Inn Road intersection (incorporating the Doreen Recreation Reserve Masterplan) for public open space/recreation/community use to be approved by Nilumbik and Whittlesea councils, including providing sewer to the Old Doreen Store and provision of adequate access and car parking."</p>

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Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Yan Yean Rd/Bridge Inn Rd (Doctors Gully Rd) intersection design options	Old Doreen Store	<p>Both Options B and C retain the Old Doreen Store, which is supported.</p> <p>The potential heritage significance of the Old Doreen Store at the corner of Yan Yean Road and Doctors Gully Road is understated in the EES and the existing heritage assessment specified the site is not of heritage significance.</p> <p>The local community has a considerable connection with this store and it is a significant landscape marker along Yan Yean Road with a direct frontage to the existing intersection.</p> <p>Council heritage advice suggests of the two options, Option B better responds to the heritage values of the old Doreen store for the following reasons:</p> <ul style="list-style-type: none"> <li>• The close proximity of Yan Yean Road in Option C may compromise the building as crash barriers are likely to be required and would detract from the appearance of the building and impact on potential uses</li> <li>• There are greater options for re-use and appreciation of the building with Option B where it will be easier to stop at the building to appreciate it and there will be a more pleasant setting for re-use as a cafe etc</li> <li>• Option B would have a smaller access road across the frontage between it and the Business Precinct, so it would retain a road frontage and would retain a relationship with the two large trees.</li> </ul> <p>A response which adequately achieves heritage priorities as well as other priorities that Council has highlighted should be provided by MRPV.</p>	<p>Panel to recommend the adoption of Option C.</p> <p>For either Option B or Option C, include an EPR: "MRPV design an intersection and prepare a Historical and Social Masterplan for the public spaces around the Old Doreen Store to be approved by Nillumbik and Whittlesea councils that:</p> <ol style="list-style-type: none"> <li>protects the heritage values of both the old Doreen store and the heritage-protected trees</li> <li>retains a rural character in vicinity of the intersection</li> <li>minimises intrusion on metropolitan green wedge land</li> <li>integrates with surplus acquired land at Bridge Inn Road intersection for public open space/recreation/ community use</li> <li>respects the historical and character values of the old Doreen store</li> <li>uses surplus acquired land at the Bridge Inn Road intersection for public open space/recreation/community use</li> <li>creates and delivers a landmark sculpture entrance to the Shire that is reflective of Nillumbik's local identity, developed in collaboration with Council and the Nillumbik community." </li></ol>

### Traffic impacts

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Transport impacts	Traffic and transport impacts	<p>It is noted the Peer Review of the Yan Yean Road Stage 2 modelling concludes the model has "tended to underestimate traffic volumes".</p> <p>Council is concerned about the modelled traffic impacts on Diamond Creek Road following the completion of the North East Link and Yan Yean Road Stages 1 and 2, particularly the need to widen Diamond Creek Road and reconstruct the Civic Drive intersection.</p> <p>The modelling prepared for North East Link led to the Planning Panel to identify the need to investigate the complimentary project of an intersection upgrade at Greensborough Bypass/Diamond Creek Road and Civic Drive.</p>	<p><b>Include EPR:</b> "MRPV, together with the Department of Transport, undertake further analysis regarding the extent and timing of the Civic Drive/Greensborough Bypass/Diamond Creek Road roundabout complementary project."</p>

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Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Transport impacts	Management of rat running during construction	<p>During the construction of Yan Yean Road Stage 1, the local municipal road network experienced an increase in daily traffic of 13 per cent on average. At worst, one road experienced an increase in daily traffic volumes of 110 per cent and in the PM peak alone, a 160 per cent increase in traffic volume. This is indicative of the anticipated impacts of the local roads surrounding Yan Yean Road Stage 2.</p> <p>The impacts are expected to be amplified as many of the local roads surrounding Yan Yean Road Stage 2 are of an unsealed nature. The anticipated amenity impacts on local residents is of significant concern to Council as well as the the compounding road safety risks created by increased traffic volumes.</p> <p>The existing municipal local road network is used to avoid bottle necks on Yan Yean Road and this will be amplified during construction.</p> <p>Possible treatments include:</p> <ul style="list-style-type: none"> <li>• Turn Bans during morning and/or evening peaks</li> <li>• Consideration of the road conditions within proposed diversion routes</li> <li>• Encouragement or utilisation of main roads and/or collector roads</li> <li>• Sealing of unsealed roads to minimise amenity impacts and allow for the introduction of effective traffic attenuation devices</li> <li>• Expedited Local Area Traffic Management on sealed roads with known rat running issues.</li> </ul>	<p><b>Include EPRs:</b></p> <ul style="list-style-type: none"> <li>• “Prior to works commencing, MRPV to develop a Local Area Traffic Management Plan to be approved by Nillumbik and Whittlesea councils, to specifically provide mitigation of rat running for the duration of construction.”</li> <li>• “Prior to works commencing, MRPV to implement findings of the Local Area Traffic Management Plan.”</li> <li>• “In consultation with Nillumbik and Whittlesea councils, MRPV monitors the effectiveness of implemented traffic management mitigation measures”.</li> </ul>
Transport impacts	Bus stop locations and footpath connections	<p>The bus stops located north of Bannons Lane have been integrated with the dedicated left-turning lane, and in other locations (Worns Lane). Council considers this to be unsatisfactory.</p> <p>Additional consideration of connections points between all Shared Use Path and footpaths to all proposed bus stop locations.</p>	<p><b>Include an EPR:</b></p> <p>“Bus stops to be designed in accordance with <i>VicRoads' Bus Stop Guidelines</i> (February 2006) with direct footpath access to a bus stop hardstand area.”</p>

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Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Transport impacts	Heard Ave proposed roundabout	The proposed Heard Avenue roundabout may encourage non-local access to Heard Avenue for vehicles travelling southbound.	<b>Include an EPR:</b> "Prior to works commencing, MRPV to include a provision to specifically discourage southbound movements along Heard Ave in the proposed Local Area Traffic Management Plan to be approved by Nillumbik Shire Council."
Transport impacts	Access to Yarrambat Primary School	Access to Yarrambat Primary School could be improved with a 'left-in' 'left-out' arrangement off Yan Yean Road.  Future planned works by the school should be considered.	<b>Include an EPR:</b> "Modify Yarrambat Primary School access to 'left in' 'left out' off Yan Yean Road."
Transport impacts	Youngs Road roundabout	The Youngs Road roundabout is supported as this allows for the U-turn of larger vehicles and horse floats. Consideration should be taken to increase pedestrian crossing safety at this location.	<b>Include an EPR:</b> "Modify Youngs Road roundabout to include pedestrian-operated signals (or similar pedestrian-operated controls) to provide direct access to the bus stop located on Yan Yean Road."
Transport impacts	Jorgensen Avenue traffic signals	Jorgensen Avenue traffic signals are supported with the provision of: <ul style="list-style-type: none"> <li>• U-turn facilities for vehicles turning left out of the golf course</li> <li>• Right turn facilities for the Parks Victoria land.</li> </ul>	<b>Include an EPR:</b> "Modify Jorgensen Avenue traffic signals to include a U-turn facility for vehicles turning left out of the golf course and right-turn facility for the Parks Victoria land."

## Road safety

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
TIA section 5.4 Road Network Operations	Access arrangements for properties abutting Yan Yean Road, between Laurie Street and Bannons Lane.	<p>Council is not satisfied that appropriate measures are in place to ensure safe and appropriate access.</p> <p>The introduction of a median will increase operating speeds while property access to Yan Yean Road remains unchanged.</p> <p>Having vehicles reverse on to the road is undesirable and forward-in and forward-out access is preferred. The proposed access arrangement is a safety hazard, does not improve the crash risk for entering and exiting vehicles and that requires further mitigation.</p>	<p><b>Include an EPR:</b> "MRPV to undertake a specific road safety assessment of access for properties abutting Yan Yean Road, between Laurie Street and Bannons Lane and implement necessary mitigation measures."</p>
	Intersection lighting at each of the proposed intersections.	Council is not satisfied that appropriate lighting has been provided.	<p><b>Include an EPR:</b> "MRPV to provide street lighting of all intersections along Yan Yean Road Stage 2 that meets appropriate standards."</p>
	10 North Oatlands Road, Yarrambat, property access.	Vehicular access to property number 10 is too close to the intersection.	<p><b>Include an EPR:</b> "Relocate vehicular access to 10 North Oatlands Road, Yarrambat, further away from the intersection."</p>
Map Book	Footpath / Shared path omissions.	<p>There is a missing link in the shared trail network on Yan Yean Road between Vista Court and 100 metres south of Ashley Road where it reverts to a footpath (page 41).</p> <p>There is a missing link in the footpath on the northern side of Doctors Gully Road all the way to the primary school and on the eastern side of Yan Yean Road, north of Doctors Gully, to the limit of works (page 45).</p>	<p><b>Inclusion of:</b> Provision of shared trail on Yan Yean Road between Vista Court and 100 metres south of Ashley Road.</p> <p>Provision of a footpath on the northern side of Doctors Gully Road to the Primary School and the eastern side of Yan Yean Road north of Bridge Inn Road.</p>
	Road Safety Audit	A Road Safety Audit is necessary to understand the risk associated with the proposed design and any mitigation measures.	<p><b>Include an EPR:</b> "Prior to works commencing, MRPV to undertake a Road Safety Audit and implement necessary mitigation measures in consultation with Nillumbik and Whittlesea councils."</p>



### Pony club access

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
	Yarrambat Horse & Pony Club entrance	The entrance to the Yarrambat Horse & Pony Club is currently unsealed and should be upgraded as part of the Yan Yean Road Stage 2 works.	<b>Include an EPR:</b> "MRPV to seal the Yarrambat Horse & Pony Club entrance to accommodate the anticipated traffic generated."
	Horse rider movements	The Project needs to provide for horse rider movements (for example to and from the pony club).	<b>Include an EPR:</b> "MRPV to provide for horse rider movements to and from the pony club."
	Yarrambat Horse & Pony Club laydown area	Council does not support utilising the area outside the Yarrambat Horse & Pony Club as a laydown area during construction activity.	Remove references to utilising the Yarrambat Horse & Pony club area as a laydown area.

## Landscape and Visual impacts

Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Landscape Strategy	Rural Character	<p>The EES documents do not reflect Council's stance on the character of the Yarrambat township, which come out of decisions made by Council in July 2018 and October 2019 regarding a former project, the Yarrambat Township Plan Project.</p> <p>Key components of this position are to "retain the rural character of Yarrambat" and to propose a Yarrambat Streetscape Masterplan.</p> <p>The Yan Yean Road project needs to integrate with the Yarrambat Streetscape Masterplan along Ironbark Road.</p> <p>The Yarrambat War Memorial Park is a potential laydown/storage area and, if this option is taken up, should be upgraded as part of the occupation.</p>	<p><b>Include an EPR:</b> "Prior to works commencing, MRPV to prepare a Yarrambat Township Integration Plan to be approved by Nillumbik Shire Council that provides for integration with the Yarrambat Streetscape Masterplan including a gateway feature at the north-east corner of the Yan Yean Road/Ironbark Road intersection to mark the Yarrambat town entry that reflects the rural character of the area and highlights the vista."</p> <p>"MPRV to construct a shared trail between Yan Yean Road and the Yarrambat War Memorial Park along Ironbark Road to provide a recreational link to the reserve."</p>
Landscape Strategy	Median and verge landscaping treatments	<p>Specific reference should be made to proposed median and verge landscaping treatments, noting the requirement to incorporate existing vegetation and introduce new tree planting under the VicRoads Tree Policy (2016), which encourages tree planting if safety barriers are provided.</p> <p>The walking/shared path environment along Yan Yean Road Stage 1 is not pleasant with sun glare and lack of shade, and the landscape treatment of the medians along Yan Yean Road Stage 1 has relied on concrete to the detriment of the visual amenity of the road corridor.</p>	<p><b>Include an EPR:</b> "MRPV to protect existing vegetation in all median and verge landscaping treatments where possible, and introduce new tree or other vegetation planting in all medians where barriers are provided, and along verges, to the satisfaction of Nillumbik Shire Council."</p>



FIGURE 5.41: VIEWPOINT D - YAN YEAN ROAD, NEAR BANNONS LANE - EXISTING



FIGURE 5.42: VIEWPOINT D - YAN YEAN ROAD, NEAR BANNONS LANE - PROPOSED - YEAR 1  
NOTE: DESIGN IS FOR ILLUSTRATIVE PURPOSES ONLY AND SUBJECT TO CHANGE

Source: Landscape Strategy

Nilumbik Shire Council's submission on the Yan Yean Road Upgrade Stage 2  
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Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Landscape Strategy	Median trees Bannons Lane to Laurie Street	<p>The Landscape Strategy provides a viewpoint of Yan Yean Road in the vicinity of Bannons Lane (page 108) that shows the central median vegetation as being removed.</p> <p>The section between Bannons Lane and Laurie Street will have a wide median in the attempt to retain as many trees as possible. Due to the tree root zones and the proximity with the road and the barriers, the EES technical reports have identified all these trees are considered impacted. These trees include 15 Very Large Old Trees and one Large Old Tree, which the Arboriculture Report identifies as of High or Very High Retention Value. Every attempt should be taken to minimise the need for any of these trees to be removed.</p>	<p><b>Include an EPR:</b> "Detailed design of guard rail along the section of Yan Yean Road from Bannons Lane to Laurie to seek to retain as many of the median trees as possible."</p>
Landscape Strategy	Safety barrier design	<p>The type of safety barrier can have a significant landscape/visual/fauna impact.</p> <p>Concrete barriers are the least-preferred barrier and any concrete barriers are to be textured or designed to be sympathetic to the landscape.</p>	<p><b>Include an EPR:</b> "MRPV to minimise the landscape/visual/fauna impacts of wire rope, guardrail and concrete barriers."</p>
Landscape Strategy	Power lines	<p>Power lines are visually dominant and as part of the works these should be placed underground.</p>	<p><b>Include an EPR:</b> "MRPV to place existing powerlines underground."</p>
Landscape Strategy	Compound rehabilitation	<p>Consideration of the impacts on trees at site compound locations and vegetation establishment after project completion.</p>	<p><b>Include an EPR:</b> "MRPV to provide Tree Protection Zones in proposed site compounds and de-compaction of soil following project completion to allow for revegetation establishment."</p>
Landscape Strategy	Retaining walls	<p>There is limited detail on colours or materials of retaining walls and the potential that terrestrial wildlife may be trapped on the roadway.</p> <p>A proposed retaining wall height of eight metres is considered too high and is not supported by Council.</p> <p>Precast panel design public art opportunities should be pursued.</p>	<p><b>Include an EPR:</b> "Prior to works commencing, MRPV to provide details on colours and materials (preference for muted tones, avoiding bright or contrasting colours), wall heights, public art inclusions and fauna mitigation measures for retaining walls to be approved by Nilumbik Council."</p>

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Document Reference	EES Description	Council's Concern/ Comment	Proposed Action
Landscape Strategy	Stormwater detention requirements	Stormwater detention to be designed to ensure all flood events up to, and including, the 1 per cent AEP event does not cause damage or a nuisance to downstream properties.	<b>Include an EPR:</b> "Prior to works commencing, MRPV to provide flood elevation calculations for detention devices to show 1 per cent AEP peak discharge of the fully developed impervious area of the widened road details to be approved by Nillumbik Shire Council."
Landscape Strategy	Stormwater detention requirements	The design should seek to meet best practice water-sensitive urban design principals for all stormwater management features.	<b>Include an EPR:</b> "MRPV to implement best practice water-sensitive urban design principals to minimise the discharge of gross pollutants and reduce the run-off of contaminants into the local municipal drainage network and more broadly into the Plenty River catchment."
Landscape Strategy	Public art	<p>Community feedback indicates a desire for public art that is site-specific, and environmentally and community sensitive. This aligns with Nillumbik Council's Public Art Policy approach.</p> <p>Where Indigenous themes are explored through public artworks, Nillumbik Shire Council believes Indigenous, and preferably Wurundjeri, artists should be engaged for that task.</p> <p>Public artworks should be durable enough to minimise maintenance requirements and maximise longevity in the landscape.</p>	<b>Include an EPR:</b> "Prior to commencing processes for commissioning of public artwork, MRPV to provide details on selection process to be approved by Nillumbik Shire Council to ensure outcomes consistent with local Public Art policy and creative industry best practice."
Landscape Strategy	Shared path rest areas	Council welcomes the continuous shared path along Yan Yean Road Stage 2, but is concerned at the lack of rest areas along the corridor.	<b>Include an EPR:</b> "MRPV to introduce appropriately spaced pedestrian rest areas along the Yan Yean Road Stage 2 Shared Path."

## Environmental Framework Management

Council supports the implementation of an Environmental Management Framework (EMF), which outlines governance arrangements for implementing the performance requirements throughout the delivery of the project, as well as requirements for an Environmental Management System (EMS) and Environmental Management Plans (EMPs) to be adopted (construction EMP, worksite EMPs and operations EMP).

Council supports early and ongoing consultation between MRPV and Council, including receipt of three-monthly environmental performance reports prepared by MRPV.

## Conclusion

Nillumbik Shire Council together with its communities looks forward to the Yan Yean Road Upgrade Stage 2 improving traffic flow through and around our Shire.

Nillumbik Shire Council remains supportive of the Yan Yean Road Upgrade Stage 2 but seeks improvements to manage impacts during construction and beyond.

Council officers would also like to acknowledge the hard work and dedication of Yan Yean Road Upgrade Stage 2 Project staff. To date, they have been professional and easy to work with. Council looks forward to continuing this relationship.